

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA )  
 )  
 V. )  
 )  
 YASIM TAHSIR )

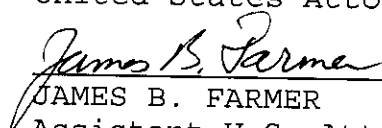
CRIMINAL NO. 04-10037-MLW

AMENDED DISMISSAL OF INDICTMENT

The United States of America, pursuant to Rule 48(a) of the Federal Rules of Criminal Procedure, hereby dismisses with prejudice the indictment against Yasim Tahsir. As grounds for the instant dismissal, the undersigned states that the defendant could move to dismiss the indictment on the basis of a claimed violation of Fed. R. Crim. P. 5(a), and although the government does not believe that such a motion would result in the dismissal of the indictment, given the priorities and limited resources of this office and the available alternative administrative remedy of deportation, the interests of justice are adequately served by forgoing litigation of the Rule 5(a) issue in favor of dismissing the indictment and removing the defendant from this country.

Respectfully submitted,  
MICHAEL J. SULLIVAN  
United States Attorney

By:

  
JAMES B. FARMER  
Assistant U.S. Attorney  
Chief, Criminal Division

March 29, 2004

Leave To File Granted:

\_\_\_\_\_  
MARK L. WOLF  
United States District Judge  
Date: \_\_\_\_\_

CERTIFICATE OF SERVICE

I, Timothy Q. Feeley, hereby certify that I have this 29th day of March 2004, served by hand a copy of the foregoing on counsel for the defendant, Martin Richey, Esq., Federal Defender Office, Boston, MA.

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Timothy Q. Feeley  
Assistant U.S. Attorney